

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3226 of 2007()

CRIME NO.12/2007 OF MALLAPPALLY EXCISE RANGE

: PETITIONER/ACCUSED NO.1

K.K.SAMEERAN, S/O.K.M.KUTTAPPAN,
ANJUSADANAM VEEDU, ANJILITHANAM MURI,
KUNNAMTHANAM VILLAGE, MALLAPPALLY TALUK.

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

RESPONDENTS:

1. THE EXCISE INSPECTOR,
MALLAPPALLY EXCISE RANGE.
2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3226 of 2007

DATED: 4-6-2007

ORDER

In this petition filed under Section 439 Cr.P.C, the petitioner who is the first accused in C.R.No.12/2007 of Mallappally Excise range for an offence punishable under Section 55(a) of the Abkari Act, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the ground enumerated under Section 41A (b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

mracs

